

REMARKS

The last Office Action has been carefully considered.

It is noted that the claims are rejected under 35 U.S.C. 112.

Also, the claims are rejected under 35 U.S.C. 102(a) as being unpatentable over the patent to Lyons in view of the patent to Kikuchi for claim s1 and 9 and in combination with other prior art for other claims.

Finally, the Examiner objected to the Information Disclosure Statement.

In connection with the Examiner's formal objections and rejections, applicant has amended the claims to define the faculty management program which has a clear support in the specification, in compliance with the comments made by the Examiner in paragraph 3 of the Office Action. As for the explanation of the management system, it is respectfully submitted that the explanation provided in the previous Amendment was presented for the purpose of clarification of the nature of the faculty management.

With respect to the Examiner's question related in paragraph 5 of the Office Action, it is respectfully submitted that shutting off the system means stopping the power input into the power network, rotating the rotor blades entirely in the direction of the wind, and braking the rotor until it stands still. As the rotor is mechanically coupled to the generator, the generator rpm also is slowed down to zero. With respect to the regulation of the rotor and power output downward, the Examiner's statement is correct and claim 1 has been amended to define the decrease of the rotor rpm and the power output. The shut-off speed is a wind speed, and not a rotor speed. At the shut-off speed of the wind, the rotor speed of the rotor is 18.0 rpm, which is considerably lower than the maximum rotor speed of 21.0 rpm.

Claim 1 has been amended correspondingly.

Claims 3 and 4 have been amended in compliance with the Examiner's requirements.

It is believed that the Examiner's grounds for the rejection of the claims for formal reasons should be considered as no longer tenable and should be withdrawn.

As for the comments to the Information Disclosure Statement, copies of the references mentioned in the Information Disclosure Statement are submitted herewith.

It is believed to be advisable to emphasize again the new features of the present invention. In accordance with the present invention, a wind energy system is proposed which includes a management system regulating the rotor speed or the power output in a specific inventive manner. In particular, the management system decreases the rotor speed or the power output already at wind speeds that have not yet reached the shut-off wind speed. The regulation in the system in accordance with the present invention provides for highly advantageous results, in lower dynamic loads of the rotor at wind speeds above the limit speed and below the shut-off speed. As a result the management system in accordance with the present invention can be dimensioned more compactly and can be produced more economically without the risk of overload at high wind speeds.

Turning now to the references and in particular to the patent to Lyons, it can be seen that this reference discloses regulation of turbines of wind generators with the use of control or management systems, depending on wind speed. However, this reference does not disclose a wind energy

system in which the rotor speed or the power output are decreased at wind speeds that have not yet reached the shut-off wind speed.

The patent Kikuchi applied by the Examiner also discloses a control of the blades, and however also it does not teach the above mentioned new features of the invention.

The patent to DiValentin also shows that the power of the wind generator can be decreased, however it does not teach the above mentioned specific new features of the present invention as defined in claim 1.

Since none of the references teach the new features of the present invention as defined in claim 1, any combination of the references would also not lead to the applicant's invention.

Claim 1, the broadest claim on file, should be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that these claims should be allowed as well.

The Examiner has refused to consider the references mentioned in the Information Disclosure Statement of May 4, 2001, because copies of the references were not supplied. However, as mentioned in the Information Disclosure Statement, these references were cited in the International Search Report of the PCT Application. Copies of these references are in the file of the subject application. In fact, the Notification of Acceptance of Application Under 35 U.S.C. 371 dated May 15, 2001 specifically acknowledges receipt by the PTO of a copy of the International Search Report and the references mentioned therein. Accordingly, consideration of the references is requested.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be

helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,


Michael J. Striker
Attorney for Applicants
Reg. No. 27233